

CONGRESSIONAL RECORD SUMMARY

Thursday, April 18, 2002

SENATE

Measures Introduced:

S. 2201. A bill to protect the online privacy of individuals who use the Internet; to the Committee on Commerce, Science, and Transportation.

Hollings

Page S 2950

S. 2212. *A bill to establish a direct line of authority for the Office of Trust Reform Implementations and Oversight to oversee the management and reform of Indian trust funds and assets under the jurisdiction of the Department of the Interior, and to advance tribal management of such funds and assets, pursuant to the Indian Self-Determinations Act and for other purposes; to the Committee on Indian Affairs.*

McCain

Page S 2951

S. 2214. A bill to provide compensation and income tax relief for the individuals who were victims of the terrorist- related bombing of the World Trade Center in 1993 on the same basis as compensation and income tax relief is provided to victims of the terrorist-related aircraft crashes on September 11, 2001; to the Committee on Finance.

Corzine

Page S 2951

H.R. 3525 - U.S. Border Security:

By a unanimous vote of 97 yeas (Vote No. 75), Senate passed H.R. 3525, to enhance the border security of the United States, after taking action on the following amendments proposed thereto:

Pages S 2916-32, D 351

"...Our bill honors our proud immigration tradition. It safeguards the entry of the more than 31 million persons who enter the United States legally each year as visitor students, temporary workers, and the 550 million who legally cross our borders each year to visit family and friends. We recognize that immigration is not the problem--terrorism is. We must identify and isolate potential terrorists--not isolate the United States. "Fortress America" is not a solution that we would consider. In defending America, we are defending the fundamental constitutional principles of diversity, cultural exchange, and civil rights that have made America strong in the past and which will make us even prouder in the future. This legislation strikes the appropriate balance. I hope we will receive overwhelming support for it..." (Kennedy, Pages S 2917-18)

Adopted:

Byrd Amendment No. 3163, to substitute October 26, 2004, for October 26, 2003, for the achievement of requirements with respect to machine- readable, tamper-resistant entry and exit documents.

Pages S 2921-23, D 351

Byrd Amendment No. 3164, to increase the penalty for noncompliance with the requirements to provide manifest information.

Pages S 2923-24, D 351

Kennedy Amendment No. 3160, to make certain managers' amendments to the bill.

Pages S 2924, D 351

H.R. 3525 - U.S. Border Security (Cont'd):

Adopted:

By a unanimous vote of 97 yeas (Vote No. 73) Byrd Amendment No. 3161, to revise provisions relating to the compliance by institutions and other entities with record keeping and reporting requirements with respect to non-immigrant students and exchange visitors.

Pages S 2918-20, S 2931, D 351

By a unanimous vote of 97 yeas (Vote No. 74) Byrd Amendment No. 3162, to require as a condition of a country's designation or continued designation as a program country under the Visa Waiver Program that the country reports to the United States Government the theft of blank passports issued by that country.

Pages S 2920-21, S 2931, D 351

S. 1981 - Enhanced Penalties for Enabling Terrorists Act:

Committee on the Judiciary was discharged from further consideration of S. 1981, to enhance penalties for fraud in connection with identification documents that facilitates an act of domestic terrorism, and the bill was then passed.

Pages S 2989, D 351

S. 517 - Energy Policy Act:

Senate continued consideration of S. 517, to authorize funding for the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, taking action on the following amendments proposed thereto:

Pages S 2871-S 2906, S 2911-16, S 2936, D 352

Pending:

Daschle/Bingaman Further Modified Amendment No. 2917, in the nature of a substitute.

Pages S 2871-S 2906, S 2911-16, S 2936, D 353

Dayton/Grassley Amendment No. 3008 (to Amendment No. 2917), to require that Federal agencies use ethanol-blended gasoline and biodiesel-blended diesel fuel in areas in which ethanol-blended gasoline and biodiesel-blended diesel fuel are available.

Pages S 2872, S 2893, D 353

Reid Amendment No. 3145 (to Amendment No. 3008), to require that Federal agencies use ethanol-blended gasoline and biodiesel-blended diesel fuel in areas in which ethanol-blended gasoline and biodiesel-blended diesel fuel are available.

Pages S 2893, D 353

A motion was entered to close further debate on Daschle/Bingaman Further Modified Amendment No. 2917 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Tuesday, April 23, 2002.

Pages S 2936, D 353

A unanimous-consent agreement was reached providing for further consideration of the bill at 2 p.m., on Monday, April 22, 2002. Further, that Senators have until 1:30 p.m., to file first degree amendments.

Pages S 2991, D 353

Nominations Confirmed:

Senate confirmed the following nomination:

By a unanimous vote of 94 yeas (Vote No. EX. 76), Legrome D. Davis, of Pennsylvania, to be United

States District Judge for the Eastern District of Pennsylvania.

Pages S 2932-35, S 2991, D 353

"... The confirmation of Judge Davis today illustrates the progress being made under Democratic leadership and the fair and expeditious way in which we have considered nominees. Judge Legrome Davis was first nominated to the position of U.S. District Court Judge for the Eastern District of Pennsylvania by President Clinton on July 30, 1998. The Republican-controlled Senate took no action on his nomination and it was returned to the President at the end of 1998. On January 26, 1999, President Clinton renominated Judge Davis for the same vacancy. The Senate again failed to hold a hearing for Judge Davis and his nomination was returned to the President on December 15, 2000, after 2 more years of inaction in a second full Congress while the Senate was controlled by a Republican majority. Under Republican leadership, Judge Davis' nomination languished before the Committee for 868 days without a hearing. Unfortunately, Judge Davis was subjected to the kind of inappropriate partisan rancor that befell so many other nominees to the district courts in Pennsylvania and to the Third Circuit during the years Republicans controlled the Senate..." (Leahy, Page S 2933)

Committee Meetings:

Committee on Appropriations: Subcommittee on Treasury and General Government concluded hearings on proposed budget estimates for fiscal year 2003 for Department of the Treasury, focusing on the United States Customs Service.

Committee on Governmental Affairs: Committee concluded hearings to examine the state of public health preparedness for terrorism involving weapons of mass destruction, including *federal efforts to coordinate and communicate with public health and law enforcement agencies in the event of a terrorist attack* with public health implications, and certain budgetary requirements to implement homeland security measures.

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine workplace injury issues, focusing on musculoskeletal disorders (MSDs) and ergonomics.

Committee on the Judiciary: Committee ordered favorably reported the following business item: *The nominations of Jeffrey R. Howard, of New Hampshire, to be United States Circuit Judge for the First Circuit, Percy Anderson, to be United States District Judge for the Central District of California, Michael M. Baylson, to be United States District Judge for the Eastern District of Pennsylvania, William C. Griesbach, to be United States District Judge for the Eastern District of Wisconsin, Joan E. Lancaster, to be United States District Judge for the District of Minnesota, Cynthia M. Rufe, to be United States District Judge for the Eastern District of Pennsylvania, John F. Walter, to be United States District Judge for the Central District of California, Frank DeArmon Whitney, to be United States Attorney for the Eastern District of North Carolina, and Debra W. Yang, to be United States Attorney for the Central District of California, both of the Department of Justice.*

Pages D 355-56

Committee Meeting for Friday, April 18, 2002:

Committee on Governmental Affairs: Business meeting to consider the nomination of *Paul A. Quander, Jr.*, of the District of Columbia, to be *Director of the District of Columbia Offender Supervision, Defender, and Courts Services Agency*, to occur immediately following the first Senate floor vote, Time to be announced, S-211 Capitol.

Congressional Program Ahead:

Committee on Commerce, Science, and Transportation: 4/25/02 @ 9:30 a.m. Full Committee, to hold hearings on proposed legislation concerning *online privacy and protection*. SR-253.

Committee on Governmental Affairs: 4/23/02 @ 10:00 a.m. *Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia, to hold hearings to examine the implications of the human capital crisis, focusing on how the federal government is recruiting, selecting, retaining, and training individuals to oversee trade policies and regulate financial industries.* SD-342.

Page D 359

Committee on the Judiciary: 4/23/02 @ 10:00 a.m. To hold hearings to examine the reformation of the Federal Bureau of Investigation, Department of Justice, focusing on mission refocusing and reorganization. SD-226.

Committee on the Judiciary: 4/23/02 @ 2:30 p.m. Subcommittee on Antitrust, Competition and Business and Consumer Rights, to hold hearings to examine cable competition, focusing on the ATT-Comcast merger. SD-226.

Committee on the Judiciary: 4/25/02 @ 2:00 p.m. Full Committee, to hold hearings to examine pending judicial nominations. SD-226.

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Remark:

Status of Judicial Nominations.

"...If the Judiciary Committee is not making any progress on the judicial vacancy crisis, What is happening in the Judiciary Committee? What is the Committee doing in lieu of confirming President Bush's nominees? Well, the judicial confirmation process appears to be falling into the hands of some extreme-left special-interest groups whose political purposes are served by launching invidious attacks on the good people President Bush has nominated to serve as judges. We all know too well what happened to Judge Pickering, who was a decent, honorable man who is clearly qualified to be a judge on the Fifth Circuit Court of Appeals..."

Hatch

Page S 2937

HOUSE

Bills Introduced:

H.R. 4482. A bill to amend the Internal Revenue Code of 1986 *to provide for Universal Retirement Savings Accounts in lieu of the various individual retirement plans;* to the Committee on Ways and Means.

Gephardt

Page H 1482

H.R. 4505. A bill to repeal subtitle B of title III of the Gramm-Leach-Bliley Act; to the Committee on Financial Services.

Frank

Page H 1482

H.R. 4510. *A bill to amend chapter 171 of title 28, United States Code, with respect to the liability of the United States for claims of military personnel for damages for certain injuries; to the Committee on the Judiciary.*

Kanjorski

Page H 1482

H.R. 4513. A bill to *strengthen the authority of the Federal Government to protect individuals from certain acts and practices in the sale and purchase of Social Security numbers and Social Security account numbers*, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Markey

Pages H 1482-3

H.R. 2646. Motion to Instruct Conferees on the Farm Security Act:

The House agreed to the Smith of Michigan motion to instruct conferees on H.R. 2646, an act to provide for the continuation of agricultural programs through fiscal year 2011, to agree to the provisions contained in section 169(a) of the Senate amendment, relating to payment limitations for commodity programs; and to insist upon an increase in funding for conservation programs, in effect as of January 1, 2002, that are extended by title II of the Senate amendment; and research programs that are amended or established by title VII of the House bill or title VII of the Senate amendment by a yeas and nays vote of 265 yeas to 158 nays, Roll No. 100. The motion was debated on Wednesday, April 17.

Pages H 1418, D 356

H.R. 586. Tax Relief Guarantee Act of 2002:

By a recorded vote of 229 yeas to 198 nays, Roll No. 103, the *House agreed to the Senate amendment to H.R. 586*, to amend the Internal Revenue Code of 1986 to provide that the exclusion from gross income for foster care payments shall also apply to payments by qualified placement agencies with an amendment in the nature of a substitute made in order by the rule and printed in H. Rept. 107-412. The title was amended to as to read: "*A bill to amend the Internal Revenue code of 1986 to make permanent the tax reductions enacted by the Economic Growth and Tax Relief Reconciliation Act of 2001 and to protect taxpayers and ensure accountability of the Internal Revenue Service.*"

Pages H 1429-52, D 356

H.R. 586. Tax Relief Guarantee Act of 2002 (Cont'd.):

See Page H 1435: SEC. 252. EXPANSION OF DECLARATORY JUDGMENT REMEDY TO TAX-EXEMPT ORGANIZATIONS.

(b) Court Jurisdiction.--Subsection (a) of section 7428 is amended in the material following paragraph (2) by striking "United States Tax Court, the United States Claims Court, or the district court of the United States for the District of Columbia" and inserting the following: "United States Tax Court (in the case of any such determination or failure) or the United States Claims Court or the district court of the United States for the District of Columbia (in the case of a determination or failure with respect to an issue referred to in subparagraph (A) or (B) of paragraph (1)),".

Agreed to H. Res. 390, the rule that provided for consideration of the Senate amendment by a recorded vote of 218 ayes to 205 noes, Roll No. 102. Earlier, agreed to order the previous question by a yea and nay vote of 219 yeas to 206 nays, Roll No. 101.

Pages H 1418-29, D 356

Late Report:

The Committee on the Judiciary received permission to have until midnight on Monday, April 22 to file a report on **H.R. 3231, *Immigration Reform and Accountability Act***.

Pages H 1453, D 356

H.R. 2646. Motions to Instruct Conferees on the Farm Security Act:

The House completed debate on the Dooley motion to instruct conferees on H.R. 2646, an act to provide for the continuation of agricultural programs through fiscal year 2011, to agree to the provisions contained in section 335 of the Senate amendment, relating to agricultural trade with Cuba. Pursuant to clause 8 of rule XX, the Chair postponed the vote on the motion.

Pages H 1453-62, D 356

The House also completed debate on the Baca motion to instruct conferees on H.R. 2646, the Farm Security Act, to agree to provisions contained in Section 452 of the Senate amendment, relating to restoration of benefits to children, legal immigrants who work, refugees, and the disabled. Pursuant to clause 8 of rule XX, the Chair postponed the vote on the motion.

Pages H 1462-70, D 357

Committee Meetings:

Committee on Appropriations: Subcommittee on Commerce, Justice, State and Judiciary held a hearing on ***Bureau of Prisons***.

Committee on Appropriations: Subcommittee on Treasury, Postal Service, and General Government held a hearing on Customs/Trade Issue.

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Committee on the Judiciary: Began markup of **H.R. 1577, *Federal Prison Industries Competition in Contracting Act of 2001***.

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Committee on Transportation and Infrastructure: ***Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on H.R. 3947, Federal Property Asset Management Reform Act of 2002.***

Pages D 358-9

Congressional Program Ahead. Week Of April 22 Through April 27, 2002:

Committee on Appropriations: 4/24/02 @ 10:00 a.m., 2:00 p.m. & 3:00 p.m. Subcommittee on Legislative, on House of Representatives, on GPO and on GAO. H-140 Capitol.

Committee on Appropriations: 4/25/02 @ 10:00 a.m. & 11:00 a.m. Subcommittee on Legislative, on Architect of the Capitol and on CBO. H-140 Capitol.

Committee on Education and the Workforce, 4/25/02 @ 10:00 a.m. Subcommittee on Workforce Protections, hearing on ***A Review of OSHA's Plan to Reduce Ergonomic Injuries***. 2175 Rayburn.

Committee on Energy and Commerce, 4/25/02 @ 12:30 p.m. Subcommittee on Telecommunications and the Internet, hearing entitled "*Ensuring Content Protection in the Digital Age.*" 2123 Rayburn.

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Committee on Government Reform, 4/23/02 @ 3:00 p.m. Subcommittee on Civil Service, Census, and Agency Organization, hearing entitled "*Reforming Government: The Federal Sunset Act of 2001.*" 2247 Rayburn.

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Remarks:

Responding To Supreme Court Ruling On Pornography.

Lampson

Page H 1414

A Tribute To Byron R. White.

"...It is with profound sadness that I rise today to recognize the life and contributions of Byron 'Whizzer' White, one of Colorado's most renowned and admirable native sons. Retired Supreme Court Justice White died on Monday, April 15, at the age of 84, of complications with pneumonia. We have not only lost this honorable and esteemed man, we have also lost the last living former Supreme Court Justice. I would like to take this opportunity to pay tribute to his dedication to our country and his remarkable achievements before this body of Congress and this nation..."

DeEgette

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Child Custody Protection Act.

Ryun

Page E 582

Crane

Page E 584

Moore

Page E 587

Introduction Of Social Security Number Protection Act Of 2002.

Markey

Pages E 585-6

Pension Security Act Of 2002.

Lowey

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Next SENATE MEETING: Monday, 1:00 p.m., April 22, 2002.

Next HOUSE MEETING: Monday, 2:00 p.m., April 22, 2002.

OLA: S. Schwarz, A. Santos